

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

AMERICAN COMMERCIAL LINE, INC. AND COMMERCIAL BARGE LINE COMPANY (DEBTOR)	*	CASE NO.: 20-30982
	*	
	*	CHAPTER 11

MEMORANDUM IN SUPPORT OF MOTION TO LIFT STAY

Movant, **JEREMY BAILEY**, hereinafter referred to as Movant, through the undersigned counsel, respectfully submits this memorandum in support of motion for relief from automatic stay. AMERICAN COMMERCIAL BARGE LINE, LLC, hereinafter referred to as “Debtor”, filed with this Court its Petition for Relief Under Chapter 11 of the United States Code on or about February 7, 2020. For the following reasons, Movant’s Motion for Relief from Automatic Stay should be granted:

On or about January 15, 2019, Movant was employed by Debtor, working as a member of the crew on board the vessel M/V SAFETY GOAL which was owned and/or being operated by Debtor. Movant sustained injuries when the M/V Safety Goal assisted in building a tow of barges for the M/V Charles Straight. Specifically, Movant fell from a higher deck on the M/V Safety Goal, to a lower deck of the M/V Charles Straight. (See Ex. “A”). As a result of the foregoing accident, Movant sustained severe, painful and permanently disabling injuries to his body, including but not limited to his head, arm, knees, neck and back rendering him disabled from his former employment.

Movant filed a lawsuit against Debtor seeking, among other things, maintenance and cure benefits and for damages under the Jones Act and for the unseaworthiness of the vessels. Counsel

for Debtor has informed undersigned counsel that Debtor has available insurance that provides coverage for said claims.

Conclusion

Movant was notified that Debtor petitioned for relief under Chapter 11 of the United States Bankruptcy Code and this Honorable Court instituted an automatic stay as to any actions against Debtor pursuant to 11 U.S.C. § 362. Movant respectfully requests that this stay be lifted to the extent that he can pursue causes of action against the Defendant and/or its insurance company in the 18th Judicial District Court, Parish of Pointe Coupee, State of Louisiana. The Movant herein agrees that no action whatsoever will be taken against the Debtor to obtain or collect any judgement against the Debtor until such remedy is permitted by this Court. Movant respectfully requests this Court lift the stay currently in place so that Movant may proceed with his claims against the Debtor's insurer and/or any guaranty associations, persons and/or entities that may otherwise be liable for his damages.

Respectfully Submitted,

/s/ **Brian C. Colomb**

BRIAN C. COLOMB (Bar No. 25625)

1819 West Pinhook Road, Ste 250

P.O. Box 51127 (70505)

Lafayette, LA 70508

Telephone: 337-541-6584

Fax: 337-704-2805

brian@getgordon.com

**ATTORNEYS FOR PETITIONER,
JEREMY BAILEY**